

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS  
OF SAN BERNARDINO COUNTY, CALIFORNIA  
AND RECORD OF ACTION**

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**May 13, 2003**

**FROM: G. DANIEL OJEDA, Director**  
Architecture & Engineering Department

**GARY PENROD, Sheriff**  
Sheriff's Department

**SUBJECT: MONTCLAIR SHERIFF'S MODULAR SATELLITE STATION – SITE WORK AND  
UTILITIES – CONSENT TO BID WITHDRAWAL, AWARD CONTRACT AND  
AUTHORIZE FILING NOTICE OF COMPLETION**

**RECOMMENDATION:**

1. Consent to withdrawal of lowest bid from D.C. Hubbs Construction, Inc.;
2. Award a \$71,404 construction contract to LAD Construction Inc. of Upland for the Sheriff's Satellite Station in Montclair; and
3. Authorize the Director of the Architecture and Engineering (A&E) Department to execute the Notice of Completion after acceptance of the work.

**BACKGROUND INFORMATION:** On January 29, 2002, the Board approved \$120,000 in one-time funds for a Capital Improvement Project to purchase modular office buildings for the Montclair and Upland Sheriff substations. The Sheriff's Department is establishing a satellite station on Mission Avenue in Montclair. The Board approved a lease agreement for the property on October 8, 2002. In addition, the Board approved the purchase of a 1,440 square foot modular office on December 17, 2002. The modular office is ready for delivery. The satellite station will enable the Sheriff's Department, the Montclair Police, and the California Highway Patrol to provide law enforcement services in the community.

This construction contract includes the hook up of utilities to the modular offices, a driveway entrance, security fencing, lighting, signage, ADA ramp and parking, and an emergency 24 hour phone.

A&E advertised for competitive bids in the county website and trade journals in accordance with the informal bidding process outlined in Section 22032(b) of the Uniform Public Construction Cost Accounting Act. On March 20, 2003 a job walk was conducted with six prospective bidders in attendance. On April 3, 2003, four bids were received: D.C. Hubbs Construction, Inc. of Bloomington for \$49,888; LAD Construction of Upland for \$71,404; Callison Construction of Colton for \$84,675; and KAR Construction of Ontario for \$88,368.

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Record of Action of the Board of Supervisors

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**BOARD OF SUPERVISORS****MONTCLAIR SHERIFF'S MODULAR SATELLITE STATION – SITE WORK AND UTILITIES –  
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OF COMPLETION**

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On April 7, 2003, D.C. Hubbs Construction, Inc. notified A & E and requested that their bid be withdrawn due to two mathematical errors. A & E investigated the error and found that the error occurred in filling out the bid and not due to error in judgement or to carelessness in inspecting the site or in reading the plans or specifications. Under Public Contract Code Section 5101 the bidder is allowed to withdraw his or her bid for this reason if the Board consents to the withdrawal. The second lowest bid was from LAD Construction Inc. of Upland for \$71,404. Based on this circumstance, LAD was selected on the basis of submitting the lowest responsible bid.

This project is consistent with a County Administrative Office approved Capital Improvement Program request.

**REVIEW BY OTHERS:** This item has been coordinated with Eli Montoya, Department Contract Compliance Designee, on April 30, 2003; approved as to legal form by County Counsel (Jean-Rene Basle, Deputy County Counsel) on May 1, 2003; and reviewed by the Sheriff's Department (Captain Paul Cappitelli) on May 1, 2003 and the County Administrative Office (Lynn Chacon and Mario Lara, Administrative Analysts) on May 1, 2003.

**FINANCIAL IMPACT:** This project was funded in the amount of \$120,000 (construction-\$90,000; contingencies-\$9,000; design/project management/inspection-\$21,000) as part of the one-time budget adjustment approved by the Board on January 29, 2002, and included in the FY 2001-02 Capital Improvement Program (CIP) budget. No expenditures were incurred in FY 2001-02 resulting in a carryover \$120,000 into FY 2002-03. On December 17, 2002 the Board authorized an additional \$70,000 for the purchase and utility hookups for the modular building in Montclair bringing total project budget to \$190,000 (construction-\$150,000; contingencies-\$14,000; design/project management/inspection-\$26,000). Funding for this project is provided from the general fund (\$120,000) and the Justice Facility Reserve Fund (\$70,000).

**COST REDUCTION REVIEW:** The County Administrative Office has reviewed this agenda item and concurs with A&E's proposal and recommends this action based on the need for increased police presence in this part of the county.

**SUPERVISORIAL DISTRICT(S):** Fourth.

**PRESENTER:** G. Daniel Ojeda, Director, A&E, 387-5025  
Keith Bushey, Deputy Chief, Sheriff, 387-3636

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